

# Notice of Allowability

Application No.

10/697,985

Examiner

José V. Chen

Applicant(s)

MYERS, TIMOTHY J.

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 09/14/05.
2. ☒ The allowed claim(s) is/are 1-5, 10, 11, 15, 6-9, 12-14, 16 renumbered 1-16, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

### REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The prior art of record does not teach or suggest a fold-down work surface comprising a planar top frame having first and second opposite ends and mounted thereto at least one parallelogram frame, the at least one parallelogram frame mounted to corresponding slides, the top frame forming an upper longitudinal element in the at least one parallelogram frame, each parallelogram frame of the at least one parallelogram frame lying in a corresponding vertical plane, and including a lower longitudinal element, parallel to the frame, extending between the corresponding slides at a first end of the lower longitudinal element and at least one leg at an opposite second end of the lower longitudinal element, each corresponding slide and each leg of the at least one leg, at the corresponding second end of the lower longitudinal element, pivotally mounted to the first and second ends of the top frame and to the opposite first and second ends of the lower longitudinal element so that the top frame, the lower longitudinal element, the slide, and the leg for each parallelogram frame form a frame pivotable in the corresponding vertical plane, each slide is slidably mounted in a vertical track which is mountable to a vertical rigid supporting surface having a constraining upper edge, at least one primary brace member is pivotally mountable, by mounting means, at a lower end thereof to the supporting surface, and an opposite upper end of each primary brace member of the at least one primary brace member is pivotally mounted to the top frame adjacent the first end of the top frame so that the upper end of each primary brace member is pivotally mounted to, so as to be disposed between the top frame and the

Art Unit: 3637

mounting means when mounted adjacent the vertical track on the supporting surface, wherein, as the top frame is raised or lowered relative to the supporting surface, when the vertical track and primary brace member are mounted to the supporting surface, translation of the first end of the top frame is constrained by rotation of the top frame about the upper end of each primary brace member and by vertical sliding translation of each slide in its corresponding vertical track so that as the second end of the top frame is raised in an arc so that the second end is brought into adjacency with the constraining upper edge of the supporting surface as the top frame is brought flush with the supporting surface, the first end of the top frame is lowered into adjacency with the bottom of the supporting surface.

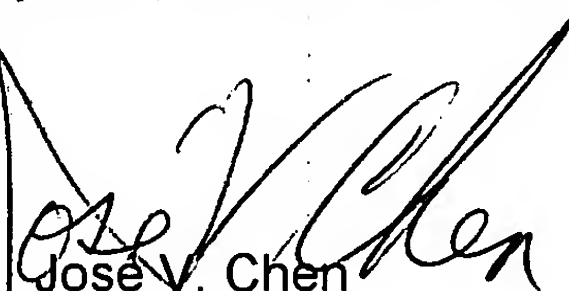
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José V. Chen whose telephone number is (571)272-6865. The examiner can normally be reached on m-f, m-th 5:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571)272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jose V. Chen  
Primary Examiner  
Art Unit 3637

Chen/jvc  
09-22-05